

REMARKS/ARGUMENTS

Claims 45-88 are pending in this application. By this Amendment, Applicant AMENDS Claim 59, the Title of the Invention, and the Specification.

Applicant greatly appreciates the allowance of Claims 74-88 by the Examiner.

Applicant greatly appreciates the Examiner's indication that Claims 50, 63-65, and 71 would be allowable if rewritten in independent form including all of the features of the base claim and any intervening claims.

The Examiner objected to the Specification for allegedly containing minor informalities. Applicant has amended the Specification to correct the minor informalities noted by the Examiner. Accordingly, Applicant respectfully requests reconsideration and withdrawal of the objection to the Specification.

The Examiner objected to Claim 59 for allegedly containing a minor informality. Applicant has amended Claim 59 to correct the minor informalities noted by the Examiner. Accordingly, Applicant respectfully requests reconsideration and withdrawal of the objection to Claim 59.

The Examiner provisionally rejected Claims 45-48, 67-70, 72, and 73 under the judicially created doctrine of obviousness type double patenting as being unpatentable over Claims 70 and 72-76 of copending U.S. Application No. 10/549,584.

In the accompanying Terminal Disclaimer, Applicant has disclaimed the terminal portion of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 to 156 and 173, as shortened by any terminal disclaimer filed prior to the grant of commonly owned U.S. Applications No. 10/549,584.

Accordingly, Applicant requests reconsideration and withdrawal of the provisional rejection of Claims 45-48, 67-70, 72, and 73 under the judicially created doctrine of obviousness type double patenting as being unpatentable over Claims 70 and 72-76 of copending U.S. Application No. 10/549,584.

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Accordingly, Applicant respectfully submits that the prior art of record, applied alone or in combination, fails to teach or suggest the unique combination and arrangement of elements recited in Claims 44, 67, and 73 of the present application. Claims 45-66 and 68-72 depend upon Claims 44 and 67 and are therefore allowable for at least the reasons that Claims 44 and 67 are allowable. As noted above, the Examiner allowed Claim 74-88.

In view of the foregoing amendments and remarks, Applicant respectfully submits that this application is in condition for allowance. Favorable consideration and prompt allowance are solicited.

The Commissioner is authorized to charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account No. 50-1353.

Respectfully submitted,

Dated: January 9, 2008

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